

Notice of Allowability

Application No.

10/059,092

Examiner

Ting Zhou

Applicant(s)

BROWN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 16 June 2005.
2. ☒ The allowed claim(s) is/are 1-6, 8-14, 16-21 and 23.
3. ☒ The drawings filed on 28 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |



DETAILED ACTION

1. The amendment filed on 16 June 2005 have been received and entered. The applicant has incorporated the subject matter of previously objected (allowable subject matter) claims 7, 15 and 22 into independent claims 1, 9 and 17 and correspondingly cancelled claims 7, 15 and 22. Claims 1-6, 8-14, 16-21 and 23 as amended are pending in the application.

Allowable Subject Matter

2. Claims 1-6, 8-14, 16-21 and 23 allowed.

3. The following is an examiner's statement of reasons for allowance: The present invention teaches a method for selectively adjusting the transparency of a displayable object within a user interface using a flashlight tool. Each of the independent claims identify the distinct limitation of operating the flashlight tool to locate the at least one displayable object that meets user selection criteria and positioning the flashlight tool at a location over the at least one displayable object that meets the user selection criteria. The closest prior art, Frank et al. (U.S. Patent 5,651,107), teach receiving a user selection criteria for the flashlight tool such that the flashlight tool is effective on the at least one displayable object that meets the user selection criteria and setting the flashlight tool to be operative on the at least one displayable object that meets the user selection criteria (receiving user selection criteria for the slider bar such as user selecting one window within the z-order of displayed windows, so that the flashlight tool, or slider bar can be manipulated for the selected window to adjust the transparency, as recited in column 2, lines 56 - column 3, line 4 and column 9, lines 4-41 and shown in Figure 8). However, the prior art fails to

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teach operating the flashlight tool to locate the at least one displayable object that meets user selection criteria and positioning the flashlight tool at a location over the at least one displayable object that meets the user selection criteria, and thus fails to anticipate or render the above limitations, when taken with the limitations of the parent claims as a whole, obvious.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

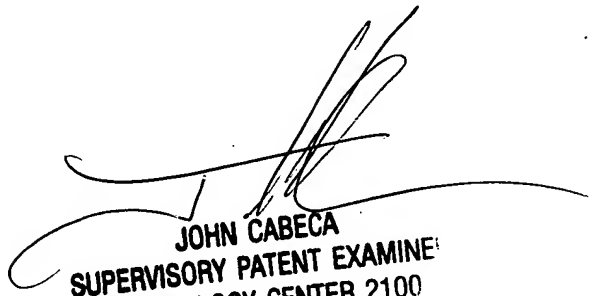
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



JOHN CABECA
SUPERVISORY PATENT EXAMINER
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